

same being the second day of said month. All voters voting on this proposed amendment at said election who favor its adoption shall have printed or written on their ballots the following: "For a more efficient system of public education, as proposed in the amendment to Article 7, of the Constitution." All voters on this proposed amendment at said election who oppose its adoption, shall have printed or written on their ballots the following: "Against a more efficient system of public education, as proposed in the amendment to Article 7, of the Constitution." Previous to the election the Secretary of State shall cause to be printed and forwarded to the county judge of each county, for use in said election, a sufficient number of ballots, for the use of voters in each county, on which he shall have printed the form of the ballot herein prescribed, for the convenient use of voters.

Section 3. The Governor of the State is hereby directed to issue his necessary proclamation and have same published as required by the Constitution and laws of the State. The sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, to defray the expenses of publishing said proclamation and printing of tickets and necessary blanks to use in said election.

Engrossing Committee Report.

Committee Room,
Austin, Texas, February 20, 1915.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 221, and find same correctly engrossed.

WESTBROOK, Chairman.

Enrolling Committee Report.

Committee Room,
Austin, Texas, February 20, 1915.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully com-

pared Senate Concurrent Resolution No. 8, and find the same correctly enrolled.

TOWNSEND, Acting Chairman.

Petitions and Memorials.

The Chair laid before the Senate a letter of appreciation from Hon. A. S. Fisher, for indorsements by the Chair and Senators.

Judge Fisher was appointed District Judge of the Criminal District Court of Travis and Williamson Counties.

Petitions were also laid before the Senate by the Chair, protesting against the passage of a law prohibiting the trapping of fur-bearing animals, and the selling or shipping of their skins, from B. M. Rowland and others.

THIRTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
February 22, 1915.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Clark.	McGregor.
Conner.	McNealus.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt.	Brelsford.
Bee.	Morrow.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Johnson.

Excused.

On account of important business:
 Senator Morrow, for today, on motion of Senator Cowell.

Senator Bailey of DeWitt, for today, on motion of Senator Hall.

Senator Harley, for Friday and Saturday of last week, on motion of Senator Wiley.

Senator Nugent, for Saturday, on motion of Senator Cowell.

Mr. Gilmore, Journal Clerk, for today and tomorrow, on motion of Senator Lattimore.

Senator King, for Saturday, on motion of Senator Wiley.

Committee Reports.

See Appendix for Committee Reports and Petitions and Memorials.

Bills and Resolutions.

By Senator Hudspeth:

S. B. No. 343, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Irion County, to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hudspeth:

S. B. No. 344, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section No. 76, providing for the creation of corporations for the design, purchase and sale of steel and iron and other metal products, and the manufacture of any or all of such products, and for the design, sale, construction and erection of engineering and architectural structures and contracting for the construction and erection of such structures."

Read first time and referred to Judiciary Committee No. 1.

By Senator Cowell:

S. B. No. 345, A bill to be entitled "An Act to prohibit the use of slot or vending machines in any public building, railroad depot or other public place in this State excepting such

machines or devices in immediate charge of an attendant who promptly refunds any coin or thing of value dropped into such machine or device which fails to deliver to the patron what it proposes, prescribing penalties for violations, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator McNealus:

S. B. No. 346, A bill to be entitled "An Act to amend Article 4081 of the Revised Civil Statutes of the State of Texas so as to provide for the appointment of a guardian of a person of unsound mind or an habitual drunkard, on a hearing before the court, without the necessity of a jury trial, as set out in Title 64, Chapter 16, Revised Civil Statutes of the State of Texas, providing for 'Guardianship of Persons of Unsound Mind and Habitual Drunkards.'"

Read first time and referred to Judiciary Committee No. 1.

By Senator Harley:

S. B. No. 347, A bill to be entitled "An Act to amend Section 1 of Chapter 19, of the General Laws of the Twenty-eighth Legislature of the State of Texas, passed at the Regular Session, 1903, entitled 'An Act to fix the time for holding court in the counties of the Twenty-second Judicial District and the terms of court therein, and to repeal all laws in conflict therewith,' and to change the time of holding the term of the district court in Caldwell and Fayette Counties, and conform the issuance, service and return of process from said court to such change heretofore entered into or hereafter entered into after this Act takes effect in any of said courts shall be valid and binding as if no change had been made in the time of holding said courts, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hall:

S. B. No. 348, A bill to be entitled "An Act to amend Article 7235, Chapter 4, Title 124, of the Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, Page 131, Acts of the Regular Session of the Twenty-third Legislature, with reference to the mode of preventing

horses and certain other animals from running at large in counties named so as to include Galveston County, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Henderson:

S. B. No. 349, A bill to be entitled "An Act to amend Article 2393, Chapter 17, of the Revised Civil Statutes of 1911, providing for the perfecting of appeals from the justices' court to county and district courts, and providing for the giving of appeals bonds."

Read first time and referred to Judiciary Committee No. 1.

Morning call concluded.

Senate Bill No. 48.—House Amendments Concurred In.

Senator Hudspeth called up

S. B. No. 48, local court bill, with the following House amendments:

Amend Senate Bill No. 48 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That the Sixty-fifth Judicial District of Texas be, and the same is hereby, created, to be composed of the county of El Paso, in the State of Texas.

Sec. 2. The terms of said court shall be as follows: Beginning on the first Monday in January of each year and may continue in session until the last Saturday before the first Monday in March thereafter; beginning on the first Monday in March of each year and may continue in session until the last Saturday before the first Monday in May thereafter; beginning on the first Monday in May of each year and may continue in session until the last Saturday before the first Monday in July thereafter; beginning on the first Monday in September of each year and may continue in session until the last Saturday before the first Monday in November thereafter; beginning on the first Monday in November of each year and may continue in session until the last Saturday before the first Monday in January thereafter.

Sec. 3. The terms of the District Court of El Paso County in and for the Forty-first Judicial District, composed of El Paso County, shall be as

follows: Beginning on the first Monday in January of each year and may continue in session until the last Saturday before the first Monday in March, thereafter; beginning on the first Monday in March of each year and may continue in session until the last Saturday before the first Monday in May, thereafter; beginning on the first Monday in May of each year and may continue in session until the last Saturday before the first Monday in July thereafter; beginning on the first Monday in September of each year and may continue in session until the last Saturday before the first Monday in November thereafter; beginning on the first Monday in November of each year and may continue in session until the last Saturday before the first Monday in January thereafter.

Sec. 4. The terms of the District Court of the Thirty-fourth Judicial District, composed of El Paso and Culberson Counties, shall be held in each of said counties each year as follows, to wit:

In El Paso County the terms of said court shall be as follows:

Beginning on the first Monday in September of each year and may continue in session for four weeks thereafter; a term beginning on the first Monday in November of each year and may continue in session until the last Saturday before the 25th day of December of each year thereafter; a term beginning on the first Monday in January of each year and may continue in session until the last Saturday in March thereafter; a term beginning on the first Monday in May of each year and may continue in session until the last Saturday in June of each year thereafter.

In Culberson County, the terms of said court shall be as follows:

A term beginning on the first Monday in April of each year and may continue in session for four weeks thereafter; and a term beginning on the first Monday in October of each year and may continue in session for four weeks thereafter.

Sec. 5. The Governor of this State shall, upon the taking effect of this Act, appoint a judge of the Sixty-fifth Judicial District, who shall hold the office of judge of said court until the election and qualification of his successor at the next general election.

Sec. 6. The said district courts

of El Paso County shall have concurrent civil and criminal jurisdiction with each other in said county of matters over which the jurisdiction is given or shall be given by the Constitution and laws of Texas to district courts; provided, that no grand jury shall be impaneled in the district courts of said county, other than the Thirty-fourth Judicial District, unless by special order of the judge of either of the other district courts, a grand jury shall be called for either of said courts.

Sec. 7. The district attorney of the Thirty-fourth Judicial District shall also act as district attorney in and for the Forty-first and Sixty-fifth Judicial Districts, and the clerk of the district court of El Paso County shall act as clerk of the district court for each of said district courts.

Sec. 8. Either of the judges in the said district courts in El Paso County may, in their discretion, either in term time or vacation, transfer any case or cases, civil or criminal, to any other of said district courts by order entered on the minutes of his court, or minutes or orders made in chambers, as the case may be, which orders, when made, shall be copied and certified to by said clerk, together with all orders made in said case, and such certified copies of such orders shall be filed among the papers of any case thus transferred, and the fees thereof shall be taxed as part of the costs of the court. And the clerk of said court shall docket any such case in the court to which it shall have been transferred, and, when so entered, the court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally brought in said court, and the same shall be dropped from the docket of the court from which it was transferred; provided, that where there shall be a transfer of any case from one court to another, as herein provided, on motion of either of the parties to said suit, notice must be given to either the opposite party or his attorney, by the party making the motion to transfer, one week before the time of entering the order of transfer.

Sec. 9. The said district court of the Sixty-fifth Judicial District of Texas hereby created shall have jurisdiction over all judgments and proceedings had in the special district court for El Paso County,

Texas, heretofore created by the Thirty-third Legislature of the State of Texas, the same as if the district court for the Sixty-fifth Judicial District were a continuation of said special district court, and all cases, tried in said special district court before its expiration, appealed to the Court of Civil Appeals or the Supreme Court, in the event the same are reversed, shall be returned to said Sixty-fifth Judicial District Court hereby created and a mandate issued by order of the clerk of the Court of Civil Appeals or the Supreme Court in said cases shall be returnable to the said Sixty-fifth Judicial District Court hereby created, and the provisions of this Act shall apply to all cases tried in said special district court before its expiration in which writs of error have been applied for, or may be applied for within the time prescribed by law.

Sec. 10. Upon the taking effect of this Act and the appointment and qualification of the judge of said Sixty-fifth Judicial District Court, it shall not be necessary for said judge to wait until the first day of the ensuing term thereafter to organize his court and summon a jury; but he shall open said court on the first Monday after he shall have been appointed and qualified for the trial, during the remainder of said term, of such cases as may be transferred to said court for trial from the other district court of said county, and he may cause to be summoned jurors for service from the list of those eligible for jury service in the manner provided by law except as to the time of such selection.

Sec. 11. The fact that the district courts of El Paso County are unable to dispose of the business pending in said courts without great delay and injury to the administration of justice in said county without the assistance of the additional district court created by this Act, creates an imperative public necessity justifying the suspension of the constitutional rule requiring the reading of bills on three several days in each House before the passage thereof, wherefore said rule is hereby suspended, and said emergency requires that this Act shall take effect from and after March 15, 1915, and it is so enacted.

Amend Senate Bill No. 48, by striking out the caption thereof and insert, in lieu thereof, the following:

"A bill to be entitled 'An Act to create the Sixty-fifth Judicial District and to reorganize the Thirty-fourth and Forty-first Judicial Districts and to embrace in one Act the several provisions of law applicable to each of said three districts and to provide for the appointment of a judge of the Sixty-sixth Judicial District and to regulate the relations and procedure of said courts with reference to each other in El Paso County, Texas, and to provide for their terms and for the transfer of cases from either of said courts in El Paso County to any other of said courts in El Paso County, and to provide for one district attorney for each of said courts, and for one clerk of the district court of El Paso County, performing the duties of clerk of each of said courts in El Paso County, and to prevent the organization of grand juries in any of said courts in El Paso County, other than in and for the Thirty-fourth Judicial District, unless especially ordered by either of the other courts, and giving said Sixty-fifth Judicial District Court jurisdiction over judgments rendered in the special district court for El Paso County, Texas, and providing that in cases of reversal of judgments rendered in the special district court mandates shall issue to said special district court; declaring that an emergency exists requiring the immediate passage of this Act and providing that the same shall become effective on the fifteenth day of March, A. D., 1915.'"

Senator Hudspeth moved that the Senate concur in the House amendments, which motion was adopted by the following vote:

Yeas—21.

Astin.	McNealus.
Bailey of Harris.	Nugent.
Clark.	Page.
Hall.	Parr.
Harley.	Robbins.
Henderson.	Smith.
Hudspeth.	Suiter.
Johnson.	Townsend.
King.	Westbrook.
Lattimore.	Wiley.
McCollum.	

Present—Not Voting.

Gibson.	Harris.
---------	---------

31—Senate

Absent.

Bee.	Cowell.
Brelsford.	Darwin.
Conner.	McGregor.

Absent—Excused.

Bailey of DeWitt. Morrow.

Senator Hudspeth moved to reconsider the vote by which the amendments were concurred in and table the motion to reconsider.

The motion to table prevailed.

Simple Resolution No. 94.

By Senators Page, McGregor and McNealus:

Whereas, the Hon. S. L. Staples, a distinguished citizen of Bastrop County and a former member of the House of Representatives and Senate of Texas, is in the gallery of the Senate; therefore, be it

Resolved, That he be extended the privileges of the floor and be invited to address the Senate.

The resolution was read and adopted, and the Chair appointed Senators Page, McNealus and Harley as a committee to conduct the Hon. S. L. Staples to the President's stand. Mr. Staples made a short address.

Motion to Rescind Vote.

Senator McNealus moved to rescind the vote by which S. B. No. 78 was finally passed, and to lay that motion on the table till the conclusion of the morning call tomorrow.

Senator Bailey of Harris moved to table the motion, which motion to table prevailed by the following vote:

Yeas—19.

Astin.	King.
Bailey of Harris.	Lattimore.
Clark.	McCollum.
Conner.	Nugent.
Cowell.	Page.
Hall.	Parr.
Harley.	Robbins.
Harris.	Smith.
Hudspeth.	Wiley.
Johnson.	

Nays—5.

Gibson.	McNealus.
---------	-----------

Suiter. Westbrook.
Townsend.

Absent.

Bee. Henderson.
Brelsford. McGregor.
Darwin.

Absent—Excused.

Bailey of DeWitt. Morrow.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 22, 1915,

Hon. W. P. Hobby, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has adopted simple resolution re-
questing the Senate to return H. B.
No. 51 to the House for correction.

Respectfully,

W. R. LONG,
Chief Clerk, House of Representa-
tives.

House Simple Resolution.

The Chair laid before the Senate
a House simple resolution, request-
ing the Senate to return H. B. No. 51
to the House for correction.

The resolution, on motion of Sena-
tor Page, was adopted.

Senate Bill No. 70.

(By unanimous consent.)

The Chair laid before the Senate,
on second reading,

S. B. No. 76, A bill to be entitled
"An Act to amend the Act of the
Twenty-eighth Legislature of Texas
(Laws of Special Session, Chapter
1), entitled 'An Act to render more
effective and efficient the present
road law in the State of Texas and
its application and operation in the
counties of Guadalupe, Caldwell,
Bee, Jackson, Grimes, Comal, Colo-
rado, Gillespie, Wood, Jefferson,
Maverick; to authorize and empower
the said counties to issue bonds for
the construction or purchasing of
bridges and construction and main-
tenance of public roads and high-
ways within the said counties and

regulating the compensation of cer-
tain officers,' and amended by an Act
passed by the Twenty-ninth Legisla-
ture; H. B. No. 173, approved March
29, 1905, and further amended by
the Thirty-second Legislature; S. B.
No. 69, approved February 20, 1911,
by further omitting the county of
Wood from said Act, and to here-
after read as follows, 'and declaring
an emergency.'"

The committee report was adopted.

The bill was read second time and
passed to engrossment.

On motion of Senator Suter, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 76 put on
its third reading and final passage
by the following vote:

Yeas—25.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bee. McGregor.
Brelsford.

Absent—Excused.

Bailey of DeWitt. Morrow.
Darwin.

The bill was laid before the Sen-
ate, read third time and passed by
the following vote:

Yeas—25.

Astin.	Johnson.
Bailey of Harris.	King.
Clark.	Lattimore.
Conner.	McCollum.
Cowell.	McNealus.
Gibson.	Nugent.
Hall.	Page.
Harley.	Parr.
Harris.	Robbins.
Henderson.	Smith.
Hudspeth.	Suiter.

Townsend. Wiley.
Westbrook.

Absent.

Bee. McGregor.
Brelsford.

Absent—Excused.

Bailey of DeWitt. Morrow.
Darwin.

Senator Suiter moved to reconsider the vote by which S. B. No. 76 was passed and table the motion to reconsider.

The motion to table prevailed.

Message From the Governor.

Governor's Office,
Austin, Texas,
February 22, 1915.

To the Texas State Senate:

I ask the advice, consent and concurrence of the Senate to the appointment of Hon. O. C. Kirven of Limestone County, Texas, to be a member of the State Library and Historical Commission.

Respectfully submitted,
JAMES E. FERGUSON,
Governor of Texas.

Senate Bill No. 45.

Senator Wiley called up, and the Chair laid before the Senate, as pending business under special order.

S. B. No. 45, A bill to be entitled "An Act to prohibit unfair commercial discrimination between different sections, communities, or localities, or unfair competition, or driving others out of business, and to prevent restraint of trade or commerce; providing for ouster, making Act cumulative, prescribing penalties, and declaring an emergency."

Action recurred on the substitute motion of Senator Hall to adopt the minority (adverse) committee report, which motion was lost by the following vote:

Yeas—5.

Astin. McCollum.
Hall. Nugent.
Hudspeth.

Nays—19.

Bailey of Harris. McNealus.
Clark. Page.
Conner. Parr.
Cowell. Robbins.
Gibson. Smith.
Harris. Suiter.
Henderson. Townsend.
Johnson. Westbrook.
King. Wiley.
Lattimore.

Absent.

Bee. Harley.
Brelsford. McGregor.

Absent—Excused.

Bailey of DeWitt. Morrow.
Darwin.

The majority (favorable) committee report was then adopted.

Senator Wiley offered the following amendment:

Amend the bill, page 2, line 25, by striking out the words "the preceding section" and insert the words "Article 1."

The amendment was adopted.

Senator McNealus offered the following amendment:

Amend the printed bill, page 2, line 21, by striking out all of said line 21, after the words "punished by," and all after the words "one year," in line 22, and all of line 23.

The amendment was lost.

Senator Cowell offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 14, by striking out all after the word "therein" in said line down to and including the word "conditions" in line 17.

Senator Astin offered the following:

Amend the printed bill by striking out the words "production" or "product" wherever they occur.

Senator Wiley moved to table the amendment of Senator Astin, which motion to table was adopted.

Senator Hall offered the following:

Amend the bill, page 2, line 8, by adding after the word "unlawful" the following:

"Provided that nothing in this Act shall be construed so as to in any manner apply to the purchase or sale of cotton, potatoes or rice."

The amendment was lost.

(Senator Nugent in the chair.)

Senator Robbins offered the following amendment, which was read and adopted:

Amend S. B. No. 45, page 3, line 10, by correcting the spelling of the word "justify."

Senator Lattimore offered the following:

Amend bill, page 2, line 19, by striking out the words "or restrain such sale by the purchaser."

The amendment was lost.

Senator Astin offered the following:

Amend the printed bill, page 1, Article 1, line 23, by adding after the word "transportation" the following: "And all other expenses."

Senator Wiley moved to table the amendment, which motion to table prevailed.

The bill was then passed to engrossment by the following vote:

Yeas—17.

Clark.	Page.
Conner.	Parr.
Cowell.	Robbins.
Darwin.	Smith.
Gibson.	Suiter.
Henderson.	Townsend.
King.	Westbrook.
McNealus.	Wiley.
Johnson.	

Nays—6.

Astin,	Hudspeth.
Hall.	Lattimore.
Harley.	Nugent.

Present—Not Voting.

Bailey of Harris.

Absent.

Brelsford.	McGregor.
McCollum.	

Absent—Excused.

Bailey of DeWitt. Morrow.

Pairs Recorded.

Senator Harris (present), who would vote "yea;" Senator Bee (absent), who would vote "nay."

Senator Wiley moved to reconsider the vote by which S. B. No. 45 was passed to engrossment and table the motion to reconsider.

The motion to table prevailed.

Senate Concurrent Resolution No. 9. (By unanimous consent.)

By Senator Cowell:

Whereas, the frequent floods of the Mississippi River, caused by waters from thirty-one States, embracing more than 41 per cent of the total area of the United States, result in great loss of human lives in portions of the States of Illinois, Tennessee, Kentucky, Mississippi, Missouri, Arkansas and Louisiana, and large money losses, not only in such afflicted territory, but in other portions of the nation, and

Whereas, it has been declared by every member of the Engineer Corps of the United States Army who has dealt with such floods, by the Mississippi River Commission and by other commissions appointed by Congress that such floods can be prevented at a reasonable cost, and

Whereas, the work of such flood prevention has been going on for many years in the least economical way, and over two-thirds of its cost has been borne by the damaged sections, who can no longer cope with this giant problem without effective aid from the National Government, and

Whereas, all political parties have declared in their campaign platforms that flood control of the Mississippi River is a national duty; therefore, be it

Resolved, by the Senate of the State of Texas, the House concurring, That the Congress of the United States be and it is hereby requested to fulfill this national duty at its next session and to enact such legislation as shall provide a separate and comprehensive plan for the prevention of such floods without delay. Be it further

Resolved, That copies of this resolution be sent to the Speaker of the House of Representatives, to the President of the Senate of Congress of the United States and to each member of the Senate and House of Representatives of this State.

The resolution was read and Senator Cowell moved to take up the consideration of the same at this time.

The motion prevailed.

The resolution was then adopted.

Senate Bill No. 250.—Made Special Order.

Senator Hall moved that S. B. No.

250 be made a special order for Saturday morning after the morning call.

The motion prevailed.

Simple Resolution No. 96.

(By unanimous consent.)

By Senator Lattimore:

Be it resolved, That when the Senate of Texas adjourns today it do so in memory of that peerless soldier, patriot, President and citizen, George Washington, the recurrence of whose natal day makes us glad we are Americans, and that we can stand with a united North and South, East and West, knowing no political, commercial or religious differences as we make grateful recognition of the blessing that was ours in having him to guide our armies in our struggle for freedom, and our ship of state till she had safely reached the harbor of a republican form of government.

The resolution was read, and Senator Hudspeth offered the following amendment:

Add at the end of resolution the following: 'And also out of respect to the memory of Hon. A. W. Houston.

Hudspeth, Lattimore, Gibson, McNealus, Astin Bailey of DeWitt, Bailey of Harris, Clark, Conner, Cowell, Darwin, Hall, Harley, Harris, Henderson, Johnson, King, McCollum, McGregor, Nugent, Page, Parr, Robbins, Smith, Suiter, Townsend, Westbrook, Wiley.

The amendment was read and adopted.

Action then recurred on the resolution as amended, and the same was adopted.

Senate Bill No. 246.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. B. No. 246, A bill to be entitled "An Act to authorize guardians of estates to make leases, and prescribing the manner in which said mineral leases shall be made; repealing Chapter 131 of the General Laws of the Regular Session of the Thirty-third Legislature, approved April 3, 1913, and declaring an emergency."

The bill passed to engrossment.

On motion of Senator King, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 246 put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt.	Harris.
Bee.	McCollum.
Brelsford.	

Absent—Excused.

Morrow.

The bill was laid before the Senate, read the third time and passed by the following vote:

Yeas—25.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt.	Harris.
Bee.	McCollum.
Brelsford.	

Absent—Excused.

Morrow.

Senator King moved to reconsider the vote by which S. B. No. 246 was passed and table the motion to reconsider.

The motion to table prevailed.

Simple Resolution No. 91.
(By unanimous consent.)

By Senator Bailey of Harris:

Whereas, this Senate is advised that an additional circuit judge will shortly be appointed for the Fifth Judicial Circuit of the United States, and

Whereas, this Senate recognizes in Judge Presley K. Ewing of Houston, Texas, a lawyer of ripe culture, who by his decisions, as Special Supreme Judge, as well as by a long and brilliant career at the bar, has amply demonstrated his special qualification for that high office; therefore, be it

Resolved, by the Senate of the Thirty-fourth Legislature of Texas, That it is respectfully recommended to the President of the United States, the appointment of Judge Ewing to such judgeship, as one possessing all the requirements of a great judge, who will add lustre to the Federal judiciary, and whose selection will be highly acceptable to the bench, bar and people of Texas.

McGregor, Hall, Darwin, Johnson, Page, Lattimore, Hudspeth, Townsend, Bailey of Harris, Clark, Robbins, Conner, Cowell, McNealus, Harley, Smith, Suiter, Wiley.

The resolution was read and adopted.

Recess.

Senator Clark, at 12:30 o'clock p. m., moved that the Senate adjourn till 10 o'clock tomorrow morning.

Senator Wiley moved, as a substitute, that the Senate recess until 2:30 o'clock p. m. today.

The motion to adjourn was lost.

The motion to recess prevailed.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

Senate Bill No. 45.

(Pending business.)

Action recurred on the pending business, S. B. No. 45, and, on motion of Senator Wiley, the constitutional rule requiring bills to be read on three several days was suspended

and S. B. No. 45 put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	McCollum.
Bailey of Harris.	McNealus.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
King.	Wiley.
Lattimore.	

Absent.

Bailey of DeWitt.	Harley.
Bee.	Johnson.
Brelsford.	McGregor.
Darwin.	

Absent—Excused.

Morrow.

Senator Henderson offered the following amendment:

Amend the bill by striking out the word "person" wherever it occurs in the bill.

The amendment was read and Senator Wiley moved to table the same, which motion to table prevailed by the following vote:

Yeas—16.

Bailey of Harris.	McNealus.
Clark.	Page.
Conner.	Robbins.
Cowell.	Smith.
Darwin.	Suiter.
Gibson.	Townsend.
King.	Westbrook.
McGregor.	Wiley.

Nays—8.

Astin.	Lattimore.
Hall.	McCollum.
Henderson.	Nugent.
Hudspeth.	Parr.

Present—Not Voting.

Harris.

Absent.

Bailey of DeWitt.	Harley.
Bee.	Johnson.
Brelsford.	

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—15.

Clark.	Page.
Conner.	Parr.
Cowell.	Smith.
Darwin.	Suiter.
Gibson.	Townsend.
King.	Westbrook.
McGregor.	Wiley.
McNealus.	

Nays—6.

Astin.	Hudspeth.
Hall.	Lattimore.
Henderson.	Nugent.

Present—Not Voting.

Bailey of Harris.	Robbins.
McCollum.	

Absent.

Bailey of DeWitt.	Harley.
Brelsford.	Johnson.

Absent—Excused.

Morrow.

Pairs Recorded.

Senator Harris (present), who would vote "yea"; Senator Bee (absent), who would vote "nay."

Senator Wiley moved to reconsider the vote by which S. B. No. 45 was passed and table the motion to reconsider.

The motion to table prevailed.

Reasons for Vote.

I vote no upon engrossment and upon final passage of this bill because in my opinion it is subversive of the rights of civil contract, of the liberty of action in the operation of private business, is antagonistic to the bill of rights, and therefore unconstitutional.

NUGENT.

Senate Bill No. 196.

(Special order.)

The Chair laid before the Senate on second reading,

S. B. No. 196, a bill to be entitled "An Act for the purpose of encouraging and improving the breeding and development of highly bred horses, and in furtherance of such purposes of encouraging and concerning the

holding of fairs for the exhibition of live stock, agricultural and mechanical products, and for the appointment of a commission for the regulation of races and laying wagers thereon, and to provide for the payment of certain revenue derived therefrom to the State Commissioner of Agriculture for the use of the live stock division of the Agricultural and Mechanical College of Texas."

The committee report with (committee) amendments was adopted.

Senator Clark offered the following amendment, which was read and adopted:

Amend Senate Bill No. 196, by Clark, by adding to Section 5 thereof the following:

It shall also be the duty of the said Racing Commission of Texas to establish a breeder's bureau, of which one member of said commission shall be the chairman, whose duty it shall be to encourage the breeding of fine high bred horses throughout the State of Texas, to keep in touch with breeders of high bred horses throughout the country and to encourage outside breeders of fine horses to become interested in the raising of fine bred horses in this State, and whenever any owner or breeder of high class horses shall see fit to donate any horse or high bred stock to the State of Texas, same shall be examined and passed upon by the chairman of said breeder's bureau and through him shall be turned over to the live stock division of the Agricultural and Mechanical College, and shall be shipped to such points or places in this State as within the judgment of the breeder's bureau shall be best suited for the encouragement of breeding in such communities and under the direction of persons designated by the chairman of said bureau, such animals shall be used for breeding purposes free of all charges; provided, that a record of the whereabouts and location of all such animals shall be kept at the Agricultural and Mechanical College, as well as by the chairman of the breeder's bureau herein provided for, including the number of animals bred and raised from such high bred horses as may hereafter be donated to the State for the purposes named.

Senator Lattimore offered the following amendment:

Amend the bill by striking out Section 5 thereof.

Senator Clark moved to table the amendment of Senator Lattimore, which motion to table prevailed by the following vote:

Yeas—13.

Astin.	McCollum.
Bailey of Harris.	McGregor.
Clark.	McNealus.
Hall.	Nugent.
Harris.	Page.
Hudspeth.	Parr.
King.	

Nays—8.

Conner.	Lattimore.
Cowell.	Robbins.
Gibson.	Townsend.
Henderson.	Wiley.

Present—Not Voting.

Darwin.

Absent.

Brelsford.

Pairs Recorded.

Senator Suiter (present, who would vote "nay"; Senator Bee (absent), who would vote "yea."

Senator Westbrook (present), who would vote "nay"; Senator Morrow (absent), who would vote "yea."

Senator Smith (present), who would vote "nay"; Senator Bailey of DeWitt (absent), who would vote "yea."

Senator Johnson (present), who would vote "nay"; Senator Harley (absent), who would vote "yea."

Senator McNealus offered the following amendments, which were read and adopted:

Amend the printed bill, Senate Bill No. 196, by using the term "pari-mutuels" wherever the word "mutual" occurs.

Amend Senate Bill No. 196 by adding Section 2a, as follows:

Sec. 2a. Nothing in this Act shall be construed as permitting in the State of Texas any system of betting, under this Act, known as "bookmaking," the intention being to limit all betting to the "pari-mutuel" system.

The amendments were voted upon separately.

Senator Wiley offered the following amendment:

Amend the bill as amended by

striking out the words "Agricultural and Mechanical College," in all places where they may occur in the bill as printed, and as amended by the adoption of the amendment to Section 5.

Senator Astin made the point of order that this amendment is the same as that offered by Senator Lattimore and lost.

The Chair overruled the point of order.

Senator Bailey of Harris offered the following amendment to the pending amendment, which was read and tabled:

Amend amendment by striking out the words "Agricultural and Mechanical College" wherever it occurs and inserting in lieu thereof the words "Prairie View Normal School."

Senator Clark moved to table the amendment offered by Senator Wiley, which motion to table prevailed by the following vote:

Yeas—14.

Astin.	King.
Bailey of Harris.	McCollum.
Clark.	McGregor.
Hall.	McNealus.
Harley.	Nugent.
Harris.	Page.
Hudspeth.	Parr.

Nays—7.

Conner.	Lattimore.
Cowell.	Townsend.
Gibson.	Wiley.
Johnson.	

Present—Not Voting.

Robbins.

Absent.

Brelsford.

Henderson.

Darwin.

Pairs Recorded.

Senator Suiter (present), who would vote "nay"; Senator Bee (absent), who would vote "yea."

Senator Smith (present), who would vote "nay"; Senator Bailey of DeWitt (absent), who would vote "yea."

Senator Westbrook (present), who would vote "nay"; Senator Morrow (absent), who would vote "yea."

Senator Lattimore offered the following amendment:

Amend the bill by adding at the

end of Section 10 a new section, to be known as Section 10a:

Provided no race meet shall be held in any county, and no horse racing or betting, as provided herein, shall be held or take place in any county until the question as to allowing such race meet or having such horse racing or betting shall have been submitted to the qualified voters of such county at an election to be held in said county, upon the order of the Commissioners Court, duly made and entered, after being petitioned for by 10 per cent of such qualified voters; such election to be held in manner and form as is provided by law for local option elections.

Senator McNealus made the following point of order:

The amendment is not germane because it seeks to invade the powers of the Legislature in the enactment of general legislation. A Legislature has no authority to delegate any of its legislative powers to a part of the people.

The Chair overruled the point of order.

Senator Bailey of Harris moved to table the amendment.

Senator Clark moved the previous question on the motion to table, and on the engrossment of the bill. The previous question being duly seconded, was ordered.

The motion to table was carried by the following vote:

Yeas—13.

Astin.	McCollum.
Bailey of Harris.	McGregor.
Clark.	McNealus.
Hall.	Nugent.
Harley.	Page.
Hudspeth.	Parr.
King.	

Nays—11.

Conner.	Johnson.
Cowell.	Lattimore.
Darwin.	Robbins.
Gibson.	Townsend.
Harris.	Wiley.
Henderson.	

Absent.

Brelsford.

Pairs Recorded.

Senator Suiter (present), who

would vote "nay"; Senator Bee (absent), who would vote "yea."

Senator Westbrook (present), who would vote "nay"; Senator Morrow (absent), who would vote "yea."

Senator Smith (present), who would vote "nay"; Senator Bailey of DeWitt (absent), who would vote "yea."

Action recurred on the engrossment of the bill, and the same was engrossed by the following vote:

Yeas—13.

Astin.	McCollum.
Bailey of Harris.	McGregor.
Clark.	McNealus.
Hall.	Nugent.
Harley.	Page.
Harris.	Parr.
Hudspeth.	

Nays—10.

Conner.	King.
Darwin.	Lattimore.
Gibson.	Robbins.
Henderson.	Townsend.
Hudspeth.	Wiley.
Johnson.	

Pairs Recorded.

Senator Westbrook (present), who would vote "nay"; Senator Morrow (absent), who would vote "yea."

Senator Suiter (present), who would vote "nay"; Senator Bee (absent), who would vote "yea."

Senator Smith (present), who would vote "nay"; Senator Bailey of DeWitt (absent), who would vote "yea."

Senator Cowell (present), who would vote "nay"; Senator Brelsford (absent), who would vote "yea."

Senate Bill No. 65.

(By unanimous consent.)

Senator Townsend called up Senate Bill No. 65, and asked that the same be laid on the table subject to call.

Senate Bill No. 288.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. B. No. 288, A bill to be entitled "An Act to amend Article 1389 of the

Revised Statutes of Texas, 1911, relating to elections for removal of county seats, amending said article so as to hereafter provide, in addition to the grounds for removal therein named, that if a county seat in any county is located within one mile of the dividing line of any two counties, county seat may be moved from such point to any other point in the county by a majority vote of the qualified electors of said county, and providing further, that it shall be the duty of the county judge, or, in case of his failure or inability to act, then two of the county commissioners of said county, upon written petition of one hundred freeholders and qualified voters, who are resident citizens of the county, whose county seat is situated within one mile of the dividing line of the two counties, to order said election to be held within not less than thirty days, nor more than sixty days from the date of filing said petition."

The committee report with (committee) amendments, was adopted.

Senator Parr asked unanimous consent to lay Senate Bill No. 288 on the table subject to call. There was no objection, and it was so ordered.

Senate Bill No. 27 Made Special Order.

Senator Hudspeth asked unanimous consent to make Senate Bill No. 27 a special order for tomorrow at the conclusion of the morning call. There was no objection, and the bill was set down as requested.

Senate Bill No. 330.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. B. No. 330, A bill to be entitled "An Act creating Groveton Independent School District in Trinity County, Texas, and declaring an emergency."

The committee report was adopted.

The bill passed to engrossment.

On motion of Senator Townsend, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No.

330 put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Clark.	McGregor.
Conner.	McNealus.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt. Brelsford.
Bee.

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—27.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Clark.	McGregor.
Conner.	McNealus.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt. Brelsford.
Bee.

Absent—Excused.

Morrow.

Senator Townsend moved to reconsider the vote by which Senate Bill No. 330 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 154—Final Passage of.

The Chair laid before the Senate, on third reading,

H. B. No. 154, A bill to be entitled "An Act amending Title 22, Chapter 1, Revised Civil Statutes, 1911, providing that any incorporated city, town or village in this State containing six hundred inhabitants or over, including those incorporated under Chapter 2 of this title and other laws, general and special, may accept the provisions of this title."

Senator McNealus offered the following amendment:

Amend the caption by striking out all of lines 19, 20, 21, 22 and 23, and insert the following:

"Providing, that a city, town or village in the State of Texas containing six hundred inhabitants, or more, including those incorporated under Chapter 14 of this title, or Chapter 11, of Title 19, of the Revised Statutes of 1895, and other laws, general and special, may accept the provisions of this title relating to cities and towns in lieu of any existing charter; providing means for such acceptance; making special provision that this provision shall not apply to any town, city or village until such provisions have been accepted; providing for continuance of the incorporation with perpetual succession; vesting title; providing for the continuance of officers in office; providing that all rights, actions, fines, penalties and forfeitures in suits or otherwise which have accrued under the laws heretofore enforced shall be vested in and prosecuted by the corporation hereby created; exempting cemetery lots from taxation, executions, attachments or forced sale; exempting city from giving bond in suits; providing powers of city to own water works, sewers, gas and electric lights, and own land within or without its limits for such purposes; providing that cities may purchase, construct and operate water, sewer, gas and electric light systems and have control of same; granting cities the right to sell water, gas, electric light or power and power privileges to certain persons and corporations; giving to cities incorporated under this Act power to prescribe rules and regulations for the control of water, light, sewerage, gas, gas mains, sewer pipes and electric appliances; providing for the extension of city limits; providing that any city or town containing six hun-

dred inhabitants or over may be incorporated as such and designating powers, rights and privileges of such cities and towns, validating incorporations; placing certain limitations on the boundaries of cities and towns; providing means by which excessive territory may be relinquished; validating certain incorporations which have not heretofore definitely and properly defined their limits, providing a means for discontinuing territory; providing means whereby adjoining inhabitants may become part of a city; providing means for segregating territory from city; providing for the adjustment of debts and obligations; providing for levy of taxes in certain instances, and the collection of same, and the application of same to the payment of indebtedness, and declaring an emergency."

The amendment was read and adopted by the following vote:

Yeas—25.

Astin.	King.
Bailey of Harris.	Lattimore.
Clark.	McCollum.
Conner.	McNealus.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.
Johnson.	

Absent.

Bailey of DeWitt.	McGregor.
Bee.	Parr.
Brelsford.	

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and finally passed.

Senator McNealus moved to reconsider the vote by which Senate Bill No. 154 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 148.

(Pending business.)

The Chair laid before the Senate as pending business,

S. B. No. 148, A bill to be entitled "An Act to authorize any individual, association or corporation, now or hereafter organized under the laws of the State, including any municipal corporation of this State, engaged in manufacturing, producing, supplying or selling electricity, natural or artificial gas, steam, or water, or owning or operating any street railway system, within any incorporated city, town or village within this State, where the rates charged for such service are subject to regulation under authority of the laws of this State, to lease, sell, or otherwise dispose of its entire plant or business, or any part thereof, to any other individual, association or corporation doing or having authority to do a like business in said incorporated city, town or village, upon consent of the city council, board of commissioners, or other governmental body, as the case may be, of said city, town or village being first obtained, and declaring an emergency therefor."

Senator Robbins offered the following amendments, which were read and adopted, each being voted upon separately:

(1) Amend caption of Senate Bill No. 148, page 1, line 18, after the words "upon consent of," add the following words, "the majority of the qualified voters," and striking out all after the words "upon consent of," in line 18, page 1, down to the words "of said city," in line 19, page 1.

(2) Amend Senate Bill No. 148, page 1, lines 29, 30 and 31, by striking out all after the word "may," line 29, down to and including the word "be," in line 31, and insert in lieu thereof the words "by a majority vote of the qualified voters."

The bill was read second time, and passed to engrossment.

On motion of Senator Robbins, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 148 put on its third reading and final passage, by the following vote:

Yeas—25.

Astin.	Gibson.
Bailey of Harris.	Hall.
Clark.	Harley.
Conner.	Harris.
Darwin.	Henderson.

Hudspeth.	Parr.
Johnson.	Robbins.
King.	Smith.
Lattimore.	Suiter.
McCollum.	Townsend.
McNealus.	Westbrook.
Nugent.	Wiley.
Page.	

Absent.

Bailey of DeWitt.	Cowell.
Bee.	McGregor.
Brelsford.	

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—24.

Astin.	King.
Bailey of Harris.	Lattimore.
Clark.	McCollum.
Conner.	McNealus.
Darwin.	Nugent.
Gibson.	Page.
Hall.	Parr.
Harley.	Robbins.
Harris.	Smith.
Henderson.	Suiter.
Hudspeth.	Townsend.
Johnson.	Wiley.

Nays—1.

Westbrook.

Absent.

Bailey of DeWitt.	Cowell.
Bee.	McGregor.
Brelsford.	

Absent—Excused.

Morrow.

Senator Robbins moved to reconsider the vote by which S. B. No. 148 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 288.

Senator Parr called, up from the table, S. B. No. 288, and the same was laid before the Senate (the same having been previously read second time today.)

The bill was read second time, and passed to engrossment.

On motion of Senator Parr, the

constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 288 put on its third reading and final passage, by the following vote:

Yeas—22.

Astin.	Johnson.
Bailey of Harris.	King.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.

Present—Not Voting.

Lattimore.

Absent.

Bailey of DeWitt.	McCollum.
Bee.	McGregor.
Brelsford.	Robbins.
Darwin.	

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—19.

Astin.	Johnson.
Bailey of Harris.	King.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Hall.	Parr.
Harley.	Smith.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	

Nays—2.

Suiter. Wiley.

Present—Not Voting.

Lattimore.

Absent.

Bailey of DeWitt.	Gibson.
Bee.	McCollum.
Brelsford.	McGregor.
Darwin.	Robbins.

Absent—Excused.

Morrow.

Senator Parr moved to reconsider the vote by which S. B. No. 288 was

passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 308.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 308, A bill to be entitled "An Act to amend Article 5631 of the Revised Civil Statutes of 1911, fixing the manner in which liens may be fixed on homesteads, and declaring an emergency."

The bill passed to engrossment.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 308 put on its third reading and final passage, by the following vote:

Yeas—22.

Astin.	King.
Bailey of Harris.	Lattimore.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey of DeWitt.	Hudspeth.
Bee.	McCollum.
Brelsford.	McGregor.
Darwin.	Robbins.

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—22.

Astin.	King.
Bailey of Harris.	Lattimore.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey of DeWitt. Hudspeth.
Bee. McCollum.
Brelsford. McGregor.
Darwin. Robbins.

Absent—Excused.

Morrow.

Senator Lattimore moved to reconsider the vote by which S. B. No. 308 was passed, and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 129 Corrected—Vote Rescinded.

Senator Cowell moved to rescind the vote by which H. B. No. 129 was passed.

The motion prevailed.

Senator Cowell moved to rescind the vote by which H. B. No. 129 was passed to third reading.

The motion prevailed.

H. B. No. 129 was laid before the Senate on second reading.

Senator Cowell offered the following amendment, which was read and adopted:

Amend the bill by striking out all preceding the enacting clause and inserting in lieu thereof the following:

A bill to be entitled "An Act to amend Chapter 15, General Laws, passed by the First Called Session of the Thirty-second Legislature, amending Section 6, Chapter 3, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-second Legislature, approved February 2nd, 1911, relative to a system of State, county and city depositories for State, county and city funds, and defining the duties of the State Treasurer as to the acceptance of State, county, municipal, independent school district, common school district and road improvement district bonds as collateral security for deposits made in the State depositories; by amending the aforesaid Act so that deposits in State depositories may be secured by bonds executed by the depositories with individuals or corporations authorized to execute such bonds as sureties; prescribing the terms and conditions of such bonds, authorizing recoveries thereon, and defining certain duties of the State Treasurer and the Attorney General with reference there-

to; repealing all laws in conflict herewith and declaring an emergency."

Amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following (a substitute bill):

The bill was passed to a third reading.

On motion of Senator Cowell, the constitutional rule requiring bills to be read on three several days, was suspended, and H. B. No. 129 put on its third reading and final passage, by the following vote:

Yeas—21.

Astin.	King.
Bailey of Harris.	Lattimore.
Clark.	McCollum.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Wiley.
Johnson.	

Absent.

Bailey of DeWitt.	McGregor.
Bee.	McNealus.
Brelsford.	Robbins.
Darwin.	Westbrook.
Hudspeth.	

Absent—Excused.

Morrow.

The bill was laid before the Senate, read third time, and passed, by the following vote:

Yeas—22.

Astin.	Johnson.
Bailey of Harris.	King.
Clark.	Lattimore.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.

Absent.

Bailey of DeWitt.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Darwin.	Robbins.

Absent—Excused.

Morrow.

Senator Cowell moved to reconsider the vote by which H. B. No. 129 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 291.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 291, A bill to be entitled "An Act to require the publication in some newspaper of general circulation of all notices now required by law or contract to be given of any act or proceeding, whether public or private, relating to a judicial, executive or legislative matter, which notice is now authorized by law or contract to be made by posting notices in one or more public places, fixing the time of such publication, and the compensation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Wiley offered the following amendment, which was read:

Amend the bill as follows: Strike out all of line 20, page 1, after the word "any," and all of line 21 preceding the word "judicial."

(Pending.)

Senator Gibson, by unanimous consent, offered to be filed the following amendment:

Amend the bill, page 2, line 3, by inserting after the word "be," "not more than," and in line 4, after the word "and," "not more than."

Senators Henderson and Astin, by unanimous consent, offered to be filed the following amendment:

Amend the bill, page 1, line 24, after the word "thereof," insert the following: "if demanded by the party or parties affected by such notice."

Adjournment.

On motion of Senator Nugent, at 6:10 o'clock p. m., the Senate adjourned till 10 o'clock tomorrow morning.

APPENDIX.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 246, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 76, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 45, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 322, and find same correctly engrossed.

WESTBROOK, Chairman.

(Floor Report.)

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 367, A bill to be entitled "An Act dividing Fairview Common School District No. 91 into two common school districts, to be known as 'Fairview Common School District No. 91,' and 'Parker Common School District No. 3,' by making the M., K. & T. Railroad, which runs from Bonham to Denison, the dividing line, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Gibson, chairman; Johnson, Rob-

bins, Astin, McGregor, Harley, Cowell, Bailey of Harris.

(Floor Report.)

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

H. B. No. 308, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Sterling County; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Nugent, chairman; Gibson, Henderson, Conner, Parr, Bailey of Harris, King, Suiter.

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 279, A bill to be entitled "An Act to amend Subdivisions 1 and 2 of Article 4599, Chapter 7, Title 66, Revised Civil Statutes of the State of Texas, 1911, relating to the duties and powers of the State Board of Embalming, so as to include therein the power to maintain a standard of proficiency in the practice of embalming, and the power to employ lecturers and demonstrators, and to require said board to make annual reports to the State Health Officer, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

M'NEALUS, Chairman.

(Floor Report.)

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Stock

and Stock Raising, to whom was referred

S. B. No. 348, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, of the Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, page 131, Acts of the Regular Session of the Thirty-third Legislature, with reference to the mode of preventing horses and certain other animals from running at large in counties named, so as to include Galveston County, and declaring an emergency."

Have had the same under consideration, and report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Clark, chairman; Suiter, Conner, Johnson, Hudspeth.

(Floor Report.)

Committee Room,

Austin, Texas, February 22, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 53, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Schleicher County; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and we now beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Parr, chairman; Gibson, Cowell, Conner, McCollum Clark, Smith.

Petitions and Memorials.

Senator Smith offered a petition from citizens of Rusk County, opposing full crew bill.

Senator McCollum presented a communication from F. A. Sliva of Lott, Texas, protesting against the annulment of the exceptions to the anti-pass law; also a petition of the same kind from members of the fire company of Lott.

Senator McCollum also offered a petition, opposing the full crew bill.

Senator Harley presented a petition favoring the optometry bill.

In Memory
of
Hon. A. W. Houston

Whereas, At his home in San Antonio last evening, there departed from this life, Hon. A. W. Houston, distinguished citizen of Texas, and a former member of this Senate; and,

Whereas, Texas has lost one of her noblest patriots and the citizenship of San Antonio a splendid citizen; therefore be it

Resolved, That the Senate of Texas, mourning the loss of this philanthropist, statesman and patriot, set apart a page in the Journal to be dedicated to his memory, and a copy of this resolution be dispatched to the family of the deceased by the Secretary of this body.

Signed—Hudspeth, Page, Astin, Bailey of DeWitt, Bailey of Harris, Bee, Brelsford, Clark, Conner, Cowell, Darwin, Gibson, Hall, Harley, Harris, Henderson, Johnson, King, Lattimore, McCollum, McGregor, McNealus, Morrow, Nugent, Parr, Robbins Smith, Suiter, Townsend, Westbrook, Wiley.

The resolution was read and unanimously adopted by a rising vote.